

**IN THE UNITED STATES BANKRUPTCY COURT FOR
THE NORTHERN DISTRICT OF MISSISSIPPI**

**IN THE MATTER OF:
STEPHEN W. BOONE and
BRENDA BOONE**

**CHAPTER 13 CASE NO:

14-13312-JDW**

NOTICE OF MOTION FOR ORDER DECLARING CLAIM SATISFIED

You are hereby notified that Locke D. Barkley, Chapter 13 Trustee, has filed the attached *Motion for Order Declaring Claim Satisfied* in the above styled Chapter 13 proceeding as to the within named mortgage creditor.

Should any party receiving this notice respond or object to said motion, such response or objection is required to be filed on or before December 2, 2019, with the Clerk of this Court using the CM/ECF system or at the following address:

Shallanda J. Clay, Clerk of Court
U. S. Bankruptcy Court
Northern District of Mississippi
703 Highway 145 North
Aberdeen, MS 39730

Furthermore, a copy must be served on the undersigned attorney for the Trustee. If no responses are filed, the Court may consider said motion immediately after the time for responses has expired. In the event a written response is filed, the Court will notify you of the date, time and place of the hearing thereon.

CERTIFICATE

I the undersigned attorney for the Trustee, do hereby certify that I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, and I hereby certify that I either mailed by United States Postal Service, first class, postage prepaid, or electronically notified through the CM/ECF system, a copy of the above and foregoing to all affected creditors and their attorney(s), if known.

Dated: November 8, 2019.

**LOCKE D. BARKLEY
CHAPTER 13 TRUSTEE**

/s/ Melanie T. Vardaman
ATTORNEYS FOR TRUSTEE
W. Jeffrey Collier (MSB 10645)
Melanie T. Vardaman (MSB 100392)
6360 I-55 North, Suite 140
Jackson, Miss. 39211
(601) 355-6661
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**IN THE UNITED STATES BANKRUPTCY COURT FOR
THE NORTHERN DISTRICT OF MISSISSIPPI**

IN THE MATTER OF:

CHAPTER 13 CASE NO.:

**STEPHEN W. BOONE and
BRENDA BOONE**

14-13312-JDW

MOTION FOR ORDER DECLARING CLAIM SATISFIED

COMES NOW Locke D. Barkley, Chapter 13 Trustee (the "Trustee") by and through counsel, and files this Motion for Order Declaring Claim Satisfied (the "Motion") as to the claim of the creditor identified herein.

The Trustee requests an order of this Court deeming said claim fully satisfied, including, but not limited to, pre-petition arrearage, and all post-petition payments, escrow shortages and deficiencies, advances, charges, expenses, fees, and attorney's fees incurred and/or charged by creditor during the course of the bankruptcy, as of the date stated herein.

Name of creditor: PNC Bank, National Association

Court claim no.: 3-1

Last four digits of account number (if known): 2840

Amount of allowed claim: \$36,476.22

Amount paid by Trustee including interest, fees and escrow: \$59,830.46

Date of last Trustee disbursement: October 31, 2019

WHEREFORE, PREMISES CONSIDERED, the Trustee requests this Court enter its order:

a. Deeming the mortgage loan of creditor fully satisfied, including the pre-petition arrearage, all post-petition payments, advances, charges, expenses, fees, and attorney's fees and/or charged by Creditor during the course of the bankruptcy;

b. That any fees, charges, or expenses that the Creditor may allege owed in connection with any alleged default on the claim or otherwise, which were not approved by this Court through the allowance of the claim of the Creditor or otherwise, be deemed cured by completion of the plan and therefore canceled and discharged;

c. That the Creditor release its lien and otherwise comply with applicable nonbankruptcy law; and

d. Awarding such other and further relief as is just and proper.

Dated: November 8, 2019.

Respectfully submitted,

LOCKE D. BARKLEY
CHAPTER 13 TRUSTEE

/s/ Melanie T. Vardaman
ATTORNEYS FOR TRUSTEE
W. Jeffrey Collier (MSB 10645)
Melanie T. Vardaman (MSB 100392)
6360 I-55 North, Suite 140
Jackson, Miss. 39211
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ssmith@barkley13.com

CERTIFICATE OF SERVICE

I, the undersigned attorney for the Trustee, do hereby certify that I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, and I hereby certify that I either mailed by United States Postal Service, first class, postage prepaid, or electronically notified through the CM/ECF system, a copy of the above and foregoing to the Debtor, attorney for the Debtor, the United States Trustee, and other parties in interest, if any, as identified below.

PNC Mortgage
3232 Newmark Drive
Miamisburg, OH 45342

Parker Alan Proctor, Jr., Esq.
Attorney for Creditor

Dated: November 8, 2019

/s/ Melanie T. Vardaman
MELANIE T. VARDAMAN